

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: January 13, 2010

Agenda Item: Amend Hauser Reservoir Administrative Rule

Division: Legal Unit

Action Needed: Approval of Proposed Rule

Time Needed on Agenda for this Presentation: 5 minutes

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Background

In September 1995, the commission amended Administrative Rule of Montana (ARM) 12.6.801 (which was transferred to ARM 12.11.3205 in 2001) closing from Canyon Ferry Dam to below Brown's Gulch from October 15 and ending December 15 to the use of all watercraft. The commission adopted this closure in order to protect a large concentration of migrating bald eagles that used this section of the reservoir to feed on kokanee salmon carcasses. Bald eagles no longer migrate to this portion of the reservoir making the rule no longer necessary.

Public Involvement Process & Results

If the commission approves proposing the amendment of ARM 12.11.3205, notice will be published in the Montana Administrative Register, Fish, Wildlife & Parks' website, and sent to interested persons as required in the Montana Administrative Procedures Act. The public will have an opportunity to comment during the time established in the notice.

Alternatives and Analysis

If the commission does not approved proposing the amendment of ARM 12.11.3205, the unnecessary closure will remain in effect.

Agency Recommendation & Rationale

FWP recommends that the commission initiate the process of amending ARM 12.11.3205 removing the closure from Canyon Ferry Dam to below Brown's Gulch.

Proposed Motion

I move that the FWP Commission propose amending ARM 12.11.3205 to remove the seasonal closure of Hauser Reservoir from Canyon Ferry Dam to below Brown's Gulch.